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PATENT
730083-2000.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stelzer, *et al.*
Serial No. : 09/943,346
For : MINIMALLY INVASIVE SURGERY DEVICE
Filed : August 29, 2001
Examiner : Catherine Serke
Art Unit : 3763

745 Fifth Avenue, New York, NY 10151

EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. 1.116

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on July 21, 2004.

Anne-Marie C. Yvon, Reg. No. 52,390

(Name of Applicant, Assignee or Registered Representative)

Anne-Marie C. Yvon
Signature

July 21, 2004

Date of Signature

PETITION FOR EXTENSION OF TIME

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§1.136(a) and 1.17(a), a three-month extension of the period for reply to the final Office Action dated January 21, 2004, *i.e.*, to up to and including July 21, 2004, is requested. The \$55.00 fee for a one-month extension of time (for a small entity) was paid with the Response to Office Action filed on May 21, 2004; therefore, a check for \$420.00, amounting to the difference between the fee for a one-month extension of time and a three-month extension of time, is enclosed. The Commissioner is authorized to charge any additionally required fee for this extension of time, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

07/27/2004 HALI11 00000065 09943346

01 FC:1253

~~420.00 OP~~

Adjustment date: 07/28/2004 HALI11
07/27/2004 HALI11 00000065 09943346
01 FC:1253 -420.00 OP

This paper is being filed in conjunction with a Notice of Appeal.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

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